

§ 165.1337

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and others in the Pacific Sound Resources and Lockheed Shipyard EPA superfund sites. Vessels may otherwise transit or navigate within this area without reservation.

(2) The prohibition described in paragraph (b)(1) of this section does not apply to vessels or persons engaged in activities associated with remediation efforts in the superfund sites, provided that the Captain of the Port, Puget Sound (COTP), is given advance notice of those activities by the EPA.

(3) Nothing in this section is intended to conflict with treaty fishing rights of the Muckleshoot and Suquamish tribes, and they are not restricted from any type of fishing in the described area.

(c) *Waivers.* Upon written request stating the need and proposed conditions of the waiver, and any proposed precautionary measures, the COTP may authorize a waiver from this section if the COTP determines that the activity for which the waiver is sought can take place without undue risk to the remediation efforts described in paragraph (b)(1) of this section. The COTP will consult with EPA in making this determination when necessary and practicable.

[USCG–2010–1145, 77 FR 21435, Apr. 10, 2012]

§ 165.1337 Regulated Navigation Area, Zidell Waterfront Property, Willamette River, OR.

(a) *Regulated navigation area.* The following area is a regulated navigation area: All waters within the area bounded by the following points: 45°29'55.12" N/122°40'2.19" W; thence continuing to 45°29'55.14" N/122°39'59.36" W; thence continuing to 45°29'56.30" N/122°39'59.09" W; thence continuing to 45°29'57.51" N/122°39'59.64" W; thence continuing to 45°29'58.72" N/122°39'59.64" W; thence continuing to 45°30'0.52" N/122°39'59.94" W; thence continuing to 45°30'1.95" N/122°40'0.46" W; thence continuing to 45°30'3.44" N/122°40'0.78" W; thence continuing to 45°30'4.87" N/122°40'0.95" W; thence continuing to 45°30'7.33" N/122°40'1.80" W; thence continuing to 45°30'8.11" N/122°40'2.69" W; thence continuing to 45°30'8.83" N/122°40'3.81" W; thence continuing to 45°30'13.06" N/122°40'5.39" W; thence continuing to 45°30'15.30" N/122°40'6.93" W; thence con-

tinuing to 45°30'17.78" N/122°40'8.16" W; thence continuing to 45°30'20.53" N/122°40'9.07" W; thence continuing to 45°30'20.90" N/122°40'11.52" W; thence continuing to 45°30'24.04" N/122°40'12.53" W; thence continuing to 45°30'23.79" N/122°40'14.87" W; thence continuing along the shoreline to 45°29'55.12" N/122°40'2.19" W. Geographically the regulated navigation area covers all waters adjacent to the Zidell Waterfront Property on the Willamette River extending from the west bank of the river out 200 to 400 feet into the river depending on the exact location between approximate river mile 14.2 near the Ross Island Bridge and approximate river mile 13.5 near the Marquam Bridge.

(b) *Regulations.* All vessels are prohibited from anchoring, dragging, dredging, or trawling in the regulated navigation area established by this section. See 33 CFR part 165, subpart B, for additional information and requirements.

[USCG–2011–0254, 77 FR 19546, Apr. 2, 2012]

§ 165.1339 Safety Zone; Coast Guard Exercise Area, Hood Canal, Washington.

(a) *Location.* The following area is a safety zone: All waters encompassed within 500 yards of any vessel that is involved in a Coast Guard training exercise while such vessel is transiting Hood Canal, WA between Foul Weather Bluff and the entrance to Dabob Bay. Vessels involved will be various sizes and can be identified as those flying the Coast Guard Ensign.

(b) *Regulations.* In accordance with the general regulations in 33 CFR Part 165, Subpart C, no person may enter or remain in the safety zone created in this rule unless authorized by the Captain of the Port or a Designated Representative. See 33 CFR Part 165, Subpart C, for additional information and requirements. Vessel operators wishing to enter the zone during the enforcement period must request permission for entry by contacting the on-scene patrol commander on VHF channel 13 or 16, or the Sector Puget Sound Joint Harbor Operations Center at (206) 217–6001.

(c) *Definition.* Training exercises are defined as full scale exercises that are significant in nature and involve multiple units and vessels. This safety zone

will not be utilized by operations and training which is conducted daily or is routine in nature.

(d) *Enforcement period.* The safety zone described in paragraph (a) of this section would be enforced by the Captain of the Port only upon notice. Notice of enforcement by the Captain of the Port will be provided 45 days prior to execution of the exercise by all appropriate means, in accordance with 33 CFR 165.7(a). Such means will include publication in the FEDERAL REGISTER, and may also include Broadcast Notice to Mariners, Local Notice to Mariners, or both.

[USCG-2012-0900, 78 FR 8029, Feb. 7, 2013]

FOURTEENTH COAST GUARD DISTRICT

§ 165.1401 Apra Harbor, Guam—safety zones.

(a) The following is designated as Safety Zone A—The waters of the Pacific Ocean and Apra Outer Harbor encompassed within an arc of 725 yards radius centered at the center of Wharf H. (Located at 13°27'47" N and 144°39'01.9" E. Based on World Geodetic System 1984 Datum)

(b) The following is designated Safety Zone B—The waters of Apra Outer Harbor encompassed within an arc of 680 yards radius centered at the center of Naval Wharf Kilo. (Located at 13°26'43" N, 144°37'46.7" E. Based on World Geodetic system 1984 Datum)

(c) *Special regulations.* (1) Section 165.23 does not apply to Safety Zone A and/or Safety Zone B, except when Wharf H and/or Naval Wharf Kilo, or a vessel berthed at Wharf H and/or Naval Wharf Kilo, is displaying a red (BRAVO) flag by day or a red light by night.

(2) In accordance with the general regulations in 165.23 of this part, entry into these zones is prohibited unless authorized by the Captain of the Port, Guam.

[COTP Guam Reg. 89-001, 55 FR 18725, May 4, 1990]

§ 165.1402 Apra Outer Harbor, Guam—regulated navigation area.

(a) The following is a regulated navigation area—The waters of the Pacific Ocean and Apra Outer Harbor enclosed by a line beginning at latitude 13°26'47"

N, longitude 144°35'07" E; thence to Spanish Rocks at latitude 13°27'09.5" N, longitude 144°37'20.6" E; thence along the shoreline of Apra Outer Harbor to latitude 13°26'28.1" N, longitude 144°39'52.5" E (the northwest corner of Polaris Point); thence to latitude 13°26'40.2" N, longitude 144°39'28.1" E; thence to latitude 13°26'32.1" N, longitude 144°39'02.8" E; thence along the shoreline of Apra Outer Harbor to Orote Point at latitude 13°26'42" N, longitude 144°36'58.5" E; thence to the beginning. (Based on WGS 84 Datum)

(b) Regulations:

(1) Except for public vessels of the United States, vessels may not enter Apra Outer Harbor without permission of the Captain of the Port if they have on board more than 25 tons of high explosives.

(2) Except for vessels not more than 65 feet in length, towboats or tugs without tows, no vessel may pass another vessel in the vicinity of the Outer Harbor entrance.

(3) Vessels over 100 gross tons shall:

(i) Steady on the entrance range at least 2 miles west of the entrance when approaching Apra Outer Harbor and;

(ii) [Reserved]

(iii) Steady on the range when departing Apra Outer Harbor.

(4) Vessels may not anchor in the fairway. The fairway is the area within 375 feet on either side of a line beginning at latitude 13°26'47" N, longitude 144°35'07" E; thence to latitude 13°27'14.1" N, longitude 144°39'14.4" E; thence to latitude 13°26'35.2" N, longitude 144°39'46.4" E; thence to latitude 13°26'30.8" N, longitude 144°39'44.4" E. (Based on WGS 84 Datum)

(5) Vessels over 100 gross tons may not proceed at a speed exceeding 12 knots within the harbor.

(6) No vessel may leave Apra Outer Harbor until any inbound vessel over 65 feet in length has cleared the Outer Harbor Entrance.

[CGD 79-034, 47 FR 29660, July 8, 1982, as amended by CGD 96-026, 61 FR 33669, June 28, 1996; USCG-1998-3799, 63 FR 35533, June 30, 1998]